

MEMORANDUM

TO: FCC Task Force on Broadcast Localism
FROM: Leigh Ellen Ray, bicyclist
SUBJECT: RM-10803
DATE: October 23, 2003

I am writing to let you know that I completely oppose the renewal of the license of Clear Channel networks in North Carolina, specifically the Raleigh/Durham Area and its station G105 (WDGC).

On September 22 and 23, their shock jocks, Bob and Madison, dedicated a segment of their program to advocating violence against cyclists. For example, one host suggested pelting cyclists with empty Yoo-Hoo bottles, which he purportedly carries in his car for that purpose. In essence, Bob and Madison used the airwaves to instruct the motoring public to commit a Class E felony by violating North Carolina General Statute 14-32, Assault with a Deadly Weapon Inflicting Serious Injury. A car is considered to be a deadly weapon when a motorist intentionally strikes a cyclist – as suggested by Bob and Madison on their Morning Show.

One might argue that these broadcasts are protected by free speech. However, because these radio personalities incited the public to commit felonious assault make these actions clearly UNPROTECTED by the right of free speech and potentially actionable. In fact, within days of the broadcasts numerous cyclists in the area reported aggressive behavior by motorists toward them, and this clearly shows a cause and effect relationship.

This is not the first time Clear Channel has used these tactics - they have run similar anti-cyclist broadcasts in Cleveland and Houston. This has apparently become a *modus operandi* for Clear Channel in the belief that it will boost their ratings. Not here in the Triangle! We have a strong cycling community. We also have strong community support, which is obvious by the actions of several sponsors of the station's programs: they withdrew their support as a result of the broadcasts made by Bob and Madison.

Cyclists have many roles in the community. For one, they advocate a healthy lifestyle – something needed in the face of America's obesity epidemic. And two, they raise thousands of dollars a year through cycling events for research institutes and foundations across the country that seek cures for diseases such as multiple sclerosis, diabetes, and Aids. For example, more than nine hundred cyclists took part in the *MS150 Bike Tour* recently and raised more than \$640,000 to help end the devastating effects of multiple sclerosis. Also, many bicyclists rode long distances in an event called *Pedaling for Pediatrics* to raise funds for a children's hospital. Bicyclists are part of a community of caring giving people, and Clear Channel is advocating making them targets.

Radio stations all around the country are charged with operating for the public good. Clear Channel has not met that charge, nor is it a decent corporate citizen by any stretch of the imagination. If the company cannot make a clear commitment to remedying the damage done and instituting policies that prevent the behavior recently demonstrated by its broadcast personnel, then it should not be allowed to broadcast at all.

Leigh Ray